GRS IX-5]

Previous references.
Mug. 33-94
255-07.

1927.
(Mugrai).

File No. 189-17
Serial Nos. 1–8.

Later references.
GR 513-25-(1-4)

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 8

Part B for June 1924.

SUBJECT

Recommends the writing off the assessment ~~on~~ ~~Peasants~~ on the Kharab and Gomal areas of Sangasachalli in the Dharmapuri Taluq & the remission of the Dues for the years from 1913-14 to 16-17.

Orders passed separately
Vide G.O. No. K 6310-11/2 R. 349-22-8
Dated 7th July 1924.

1917-18

GENERAL AND REVENUE SECRETARIAT.

(~~L.R.~~ Mey)

NOTES.

File No. 18

FILE HEADING

The question of writing off the assessment on the Kharab and Pomal areas of Singasikhalli in the Devanahalli Taluk

From

The Rev. Comr

No. 49607 Dated 5/7/17 Received 5/11/17

Diary No. ~~457~~ 365	Enclos.	Spare Copies.	Serial No. 1

BRIEF ABSTRACT OF LETTER.

Recommends writing off the assessment of Rs 82 on account of reduction of the assessed area for the years from 1913-14 to 1916-17

NOTES AND ORDERS.

Mr Raghunatha Rao the present holder of the estate claims that assessment should be written off on S.no. 5 (69 aces 14 guntas assessed at Rs 82) on account of

NOTES—First Sheet.

WD 1233—GPB—60,000—1-12-16—S.

Serial No.

Kdg.

of its having been treated as Kharab and on S. no 2 (16 acres 5 guntas assessed at Rs 28) on account of its having been gomal..

2. As regards the first the Sur Supt has stated that S. no. 5 was Kharab at the time of valuation survey and was assessed only at the time of granting the village on Shrayatamore

Under what authority S. no 2 was treated or is considered gomal it is not clear.

The A Karband shows the assessment to be Rs 5·94-8 while the Jmt rent register is said to show it at Rs 255-4 with godi at Rs 15

If approved a reference may ~~be~~ unofficially be made to the Supdt of Rev Surveys to explain how the Kharab came to be assessed, whether it may be now again treated as Khand and whether the gomal —

NOTE—Contn. sheet.

365
1917

WD 1233—GPB—60 000—1 12-16—S

G. R S. III-2j

General and Revenue Secretariat.

~~L~~ File No. 189 of 1917-

Serial No.

question is one to be recognised & exempted from assessment as prayed for —

Srikd
Ry
25/7/17

The village belongs to a Muzrai Institution & is now under the management of Govt ie the Muzrai Dept. As the interests of the Muzrai institution will be affected by the proposed remission of assessment too - as the previous correspondence on the subject has taken place in the Muzrai Br, the case may be transferred to that Br. for disposal

Ye
Br Vi
7-8-17

Srikd

The Dy: Comrs letter no. C. 1108/H.O. of 9.4.17 to the Rev: Comr: gives a history of the case -

The prayer of Mr Raghunatha Rao, the present occupant of the Inam

WD 1233—GPB—60,000—1-12-16—S

G. R. S. III-2]

General and Revenue Secretariat.

Misc. File No. 189 of 1917

Serial No.

Sanyasikalli village endowed to the Sri Sivaganga Mutt, is that the assessment on the kharab and gomal portions of the villg which was levied only when the whole village was granted for coffee cultivatio on Sharaya tenure, may be remitted as the attempt at coffee cultivation has failed and only the cultivable portion of the village will be utilized for ordinary agricultural purposes.

9 9 If having been enquired of the Surv: Supdt as to why there was a difference between the quit-rent register and the Akarband in the area shewn as cultivab the Survey Supdt has stated that S.no.5, which at the time of the valuation survey was classed as kharab, was also assessed at the time the whole village was granted for coffee cultivation on Sharaya tenure and therefore the portion shewn as kharab in the Akarband is less than that shewn in the quit-rent register. Further, the tank (S. no. 6) is stated to have been assessed at the time of the valuation survey alone and not subsequently. It is also stated that the difference between the Akarband and quit-rent register is due to the fa...

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S

H. R. S [II-2]

General and Revenue Secretariat.

Mis. File No. 189 of 1917.

Serial No.

that there was no mention in the letter of the full assessment on the Kharab portion and that the amount of assessment on which quit-rent was calculated, was alone mentioned there.

10. As to the remission of assessment on the Kharab & gomal portion, the Supdt. has stated that necessary steps will be taken in the matter, after Govt. sanction is obtained therefor.

N

11. The Supdt. makes no mention in his communication about S. no. 2 having been treated as gomal.

12 It will be seen from the Huildar's report that portions of the village who were originally classed as Kharab still remain so.

L

13. The Dy: Comr. states in his letter that the petr. has expressed his willingness to retain the tank-bed (S. no. 6) in his holding and prays for remission of ~~assessment~~ assessment on the gomal and Kharab portions measuring 100 acres with an assessment of Rs 134/-.

14. The Dy: Comr. is of opinion that the prayer of the petr. for remission of arrears of assessment from the date

NOTE—Contn. sheet.

WD 1293—GPB—60 000—1 12-16—S

Serial No.

his first representation in the matter (1913-14) is deserving of consideration and accordingly recommends it for the favourable consideration and orders of Govt.

15 The Rev: Coun: also supports the Dy: Coun's recommendation.

16. As the point when & by whom S.no. 2 was treated as "Gomal" is not clear, it is subd. for orders as to whether the Sur: Supdt. may be requested to specify accurately the present Kharab portions of the village by personal inspection, if necessary, and to furnish his opinion as to whether the assessment thereon may be remitted. If approved, the proposed communication may be made after consulting the Khyrai Supdt. also in the matter of the recommended remission.

subd. for orders

GD
27/8/17

17 It will be seen from the collection 255 of 1901-2 put up, that it contains only the notes leading to the G.O. of 1905 and preceding ones, but not the orders themselves. The grass

NOTE—Contn. sheet

WD 1233—GPB—60,000—1 12-16—S

G. R. S. [III-2]

General and Revenue Secretariat. | Mis. File No. 189 of 1917.

Serial No.

E

7

of reduction of assessment having cropped up in the case of Mr. Kowndinya, the Survey Commr. (Col: Grant) not having favourably view the matter, no concession in that respect was shewn to him. Final orders sanctg. the shrotriem rates of assessment on the lands in the Sanyasikalli village in favour of Mr. Kaundinya were issued in G.O. No. 2478-9 & 26-11-05. (Pp. 33 to 38 of the notes in 255 of 1901-02).

18. Mr. C. Raghunatha Rao, who purchased all the interests of Mr. Kaundinya in the estate, in [illegible] representing the several difficulties in the way of his getting the land cultivated, requested that the assessment on the land which had already reached 8 annas at the shrotriem rates might be kept on at that rate for a period of 10 yrs. to enable him to improve the estate, so that the of the progressive assessment after that period may not be felt as a hardship. On reply, he was informed in Endt. No 8328 & 25 8-08, that the shrotriem rates sanctd. in favour of Mr Kaundinya, his predecessor in title, were quite liberal and that Govt. saw no reason to grant any further concession.

19 The present request of Mr Raghunatha Rao

NOTE—Contn. sheet.

WD 1283—GPB—60,000—1 12-16—S

G. R. S.-III-21

General and Revenue Secretariat. | Mlg File No. 189 of 1917.

Serial No.

as already noted, is for remission of assessment on the uncultivable (Kharab) portions of the village, which at the outset were assessed for coffee cultivation, which failed. The Dy: Coll: & the Rev: Coll: recommend the case for the favourable consideration and orders of Govt.

2. If approved, the opinion of the Sur: Supdt: may be obtained as to the extent of Kharab and gomal lands, if any, of the village, which are not fit for cultivation and whether remission of assessment, as prayed for by Mr. Raghunatha Rao, may be granted —

SD 14-9-17

3. As the interests of the Mutt are involved, the opinion of the Mlagrai Supdt. may, if approved be called for

15/9/17

15/9/17

4. This is not necessary as no new information is likely to be forthcoming. Let the file be brought up some by the last week. It may also be placed to know the opinion of the Asst: Secy on merits.

17-5-17

As Coffee is not grown on

NOTE—Contn. sheet.

WD 1233—GPB—60 000—1 12-16—S

G. R. S.—III-2]

General and Revenue Secretariat. | Mng File No. 189 of 1917.

Serial No.

Khanab and Jounal lands, the assessment on those portions will have to be remitted. Considering that the application for remission was submitted in Augt 1914 it may be presumed that the applicant like his predecessors in title had hopes before that time of deriving vastly greater profits than an ordinary Jodidar who generally lets his lands to tenants, &c. — & the remission if ordered has to take effect from that time.

Secy) 18/9/17

N. must be remembered that the village belongs to the Sivaganga Mutt and the Govt is only in temporary management. There is nothing in the record to show the nature of the rights which were made over to Mr. Murray Ainsley and later on to Mr. Kamedinyan. The sale record relating to the transaction may throw light. In law there could have been only lessees and it is to be seen whether the practice of the dept. be interfered to help the lessee to the prejudice of the Mutt. The letter has not been

NOTE—Contn. sheet.

365

(4

WD 1233—GPB—60,000—1 12-16—S

G. R. S.(111-21

General and Revenue Secretariat.

Mug File No. 189 of 1917

Serial No.

Sluice notes and after perusal of the Concession a claim is now put forward for lowering the rent. Please state the question from this aspect and put up with complete replies.

HB
18/9/17

25 As complete references are not available here, a draft letter on the above lines to the Revr Comr is subd for approval or orders.

LTH

89
28-11-17

Secy)

Draft may be approved

HB
30.11.17.

26 Submitted with a draft for approval or other orders

lch
3 12

27 (1st Member)

2100
5 12 17

28 Draft approved by the first member
Bvs

3 12 17

HB
14/12/17

lch
13.12.17

2 No. 1387 dt 18.12.17, Rev Comr, refers the records for re-consideration of his recommendation in the light of explanation made by the Sub of the Sluice for delay

NOTE—Contn. sheet.

WD 1283—GPB—60,000—1 12-16—S

(11

F. R. S. [III-2]

General and Revenue Secretariat. | Jmz File No. 189 of 1917.

D 139/1

Serial No. 3

From the Rev: Comr: on Mysore.,
letter no. C 4007 dt 16-7-17 & 14-7-19.
States that he holds to his opinion expressed in his letter no. C. 4007 dt 5-7-17 and recommending the writing off the accounts the assessment on the unculturable portions of the village and also remission of arrears of assessment on those portions as prayed for by the Petrs from 1913-14 to 1916-17 and gives the reasons therefor -

2. In the letter to the Rev: Comr: (Sl no. 1) it was expressed that Mr: Raghunath Rao and his predecessors can be viewed as lessees of the Saunyasihalli village and that they are bound by the terms of their contract.

3. With reference to this point, the Rev: Comr: says that the Govt's orders* on the subject go to show that the holder of the village is not quite in the position of a lessee, that he is more a permanent tenant, as defined in S. No. 84 of the L. R. code, and as such, so long as the village is managed by Govt, he is of opinion that he should be treated in the same way as occupant in Govt villages would be under similar circumstances —

* It has already been noted in pp. 6 of the note that the recorded collection 255 of 1901-2, while referring to the several G.Os, does not contain the orders in original.).

NOTE—Contn. sheet.

1394

S. III-2]

General and Revenue Secretariat.

File No. 189 of 1917

Serial No.

As regards the petitioner's prayer for writing off the assessment on the gomal and kharab portions and for remission of arrears on that extent of land, the Rev: Comr: is of opinion that the lands, which had been assessed for coffee cultivation are considered unfit now either for that or any other cultivation; that though the present occupant took them up knowing that they had been assessed for coffee cultivation, it does not disentitle him to the concessions prayed for; and that on the other hand, equity ~~~~ requires that he should not be required to pay assessment on those portions which he cannot cultivate.

3/. The Dy: Comr:, on the other hand, is of opinion that the present occupant is bound by the terms under which the lands were granted to Mr. Kaundinya, there being no reason why the Mutt should suffer for the neglect of the lessees to cultivate the lands; and that, therefore, there are no good grounds for favourably considering the petitioner's prayer.

2. Submd. for orders as to whether the Rev: Comr: opinion may be accepted.

SD
25-3-19

25/3/19

NOTE—Contn. sheet

General and Revenue Secretariat.

Mrs File No. 189 of 1917.

Serial No.

33. Subn for orders

28
26/3/19

Secy)

34. The Revenue Commr is of opinion that Mr. Raghunatha Rao is not a permanent tenant as required in S. No. 84 of the L. R Code a position which I am quite prepared to concede. I thought I was giving him a higher status as a permanent lessee

In his character as a Kadim tenant Mr. Raghunatha Rao is entitled to certain concessions such as exemption for assessment for uncultivable lands but when they are not more than wheat lands the land will remain as the property of the Superior holder. So also in the case of forest lands.

Except a statement of what effect if any Mr Raghunatha Rao there is nothing to show which is kharab and which is forest and why the kharab has been taken out. If there were information available from the Survey papers, Forest Guide Otter Survey Supdt and Accountant's Notes of classification may also be obtained

Subn
15. 5. 19

NOTE—Contn sheet

The matter has thus treated as my out- as there are already my area - like.

15/5/19

(14

1491

G. R. S. III-2]

General and Revenue Secretariat. File No. of 191

Serial No.	
3.	As the information required is not available in the Taluk papers, drawn to the Survey Supdt's attention. 13/6/19 RL 16/6/19 Approved. 16/6/19.
4.	To the Supdt of Rev. Survey &c No. 3995 dt. 19.6.1919. Calls for a Statement
5.	From the Dist. Supdt., letter no. 44825-8-19. States that no survey settlement has been introduced into the Saunpaikalli village, there was no occasion to allot lands for purposes of village cattle, particularly as the village was Rachi-raikh; that at the time of valuation Survey and classification in 1878, no land was set apart as Gomal as the village was an abandoned that the classification book shows that S.no. extent 69-1 has been treated and 25 gunthas out of 25-28 of S.no.6 has also been treated as Kara

NOTE—Contn. sheet.

General and Revenue Secretariat.

Mrz File No. 189 of 1917.

Serial No.

3/8 It will be seen from the Sub: Inspr's letter and the copy of the Classification book sent by him, that S.No. 5, measuring 69 ac-14 g and 25 guntas out of S.No. 6 have been treated as Kharab at the valuation survey. S.No. 26 was treated as Kharab in full by the Mojinidar, and subsequently only 25 guntas out of it were taken out as flint Kharab, as the rest was used as gomal and cultivated with dry crops (chillies) for one year by means of a pit. So, the total extent treated as Kharab at the valuation survey is 69 ac - 39 g.

The extent of Kharab indicated by the Dy: Conr is 85 ac-78. Mr. Raghunatha Rao says that the extent of Kharab & gomal portions of the village amounting to Rs 1341 on which assessment is to be written off, is 100 acres.

In accordance with the view taken by the Secretary in page 13 of the note, assessment has to be written off only on portions of uncultivable lands treated as mere flint Kharabs and not otherwise.

So, the point for orders is whether

NOTE—Contn. sheet

R. S. III-2]

General and Revenue Secretariat.

Mun File No. 189 of 1917.

Serial No.	
	assessment may be remitted on portion treated as Khasab at the time of valuation survey. If deemed necessary, the survey Supdt's letter may be communicated to the Rev: Comr: and his further views ascertained.
	Submd for orders.
	12/9/19 BB 13/9/19
	32. The reports put up are not complete.
July	33. The village was first granted to Mr Murray Ainsley & a Valuation Survey & classification of the village were ordered in 1895.
	The papers relating to the advance are not put up. They shd be taken out of the old Durbar Matt papers & put up for report.
	34. The reports are necessary to decide the matter
	The Survey ordered &
	35. results of the tenant

NOTE—Contn. sheet.

G.R. S. III-2)

General and Revenue Secretariat.

File No. 189 of 191

Serial No.	

on the Volume.

2nd Dr. In 1905, the Volume was re-granted to Mr. Kanmdas as fresh charge Income.

3rd The first order No 2478-9 of 24 Nov 1905 says the grant is not to be on the file.

~~Contract~~.

Contract etc. etc which Mr. Says what the terms of the grant are & what rights, the present owner, Mr Naginadas Narandas can claim in absence of the

Please find out & put up Complete reference.

15-9-19

G. R. S. III-2]

General and Revenue Secretariat. Mny File No. 189 of 1917.

Serial No.

40 Mny. File 255-01-02 just use for reference contains only the office-note leading to the several Govt. orders in the matter of leasing out Sannyasaballi, the original orders themselves not being there. The record-keeper of the office says that no other file on the subject is available — This point has already been noted upon (vide page 6 of the note).

41. Copies of the orders referred to by the Assistant Secretary are available in the Secretariat records sent up by the D. Commr. The order of 1895 is a printed one. The orders of March and Nov. 1905 are in manuscript —

B 1) No 1077/Mny. F. 36-93 of 1-6-95.

L 2) No 3626-8/Mny of 31-3-05

F 3) No 2478-9/Mny of 24-11-05.

Submd for orders.

18/9-19 BG 17.9.19

43 Please ascertain if the original of the order [illegible] are in the Secl Dept - [illegible] Asst

NOTE—Contn. sheet.

G R.S. III-2]

General and Revenue Secretariat.

Jrny File No. 18/ of 1917

Serial No.	
	~~Copy~~ Authenticated Copy of the Sale-deed or other document on which ~~the~~ ~~claim~~ is in support of his title
	Asst 21/11/19
50	It will be seen from the ~~letter~~ of Mr R. Rao & 31-7-08, that Mr Raghunatha R. has acquired by purchase all the interest of Mr Kaundinya in the Sannyasikalli village. Draft calling for the information is, however, submd as directed above-
	88 25/11/19 88 25.11.19
	Jrny & U-Submit file for further orders.
	Asst. 29-11-19
6.	To. Rev. Commr. No. 1690 Dy. 29.11.19. Requests to obtain & report when & how Mr. Raghunatha Rao got the occupancy of the village from Mr Kaundinya & also to forward authenticated copy of the document in support of Raghunatha Rao's title to the village

his contention? Asst 29-11-19

(21

General and Revenue Secretariat.

File No. /89 of 1917.

Serial No.	
7	From the Rev: Comr., No. C. 4007/Gl. 16-17 dt 2-9-20 Forwards copy of letter no. H. C. 572/19-2 dt 11-6-20 furnishing information as to when & how Mr. R. Raghunatha Rao got the occupancy of the Inam Samayasi-halli village in the Devanhalli Taluk etc also a copy of the sale-deed in support of Mr. Raghunatha Rao's title to the village, received with the Dy: Comr's letter no. H C. 572/19-20 dt 20-8-20. 52 Ilse

(22

G. R. S. III-2]

General and Revenue Secretariat.

Mug File No. 189 of 1917

Serial No.

Kay. Pa. 7. .71

55

71-

31-

General and Revenue Secretariat. | Alig File No. 189 of 191

Serial No.

on the lands of no 1.

57 The village was subsequently measured from land to land, the Post Master being Mr K. Raghunatha Rao.

58. The question, sale notice of the village 3/6-2-1903 shows that the order had proprietary right over it.

59. In his letter 3/20-8-20 to the D.C. Mr Raghunatha Rao claims proprietary rights and mentions the following points.

60. In view of the above facts, the point for consideration now is whether Mr Raghunatha Rao should be asked to prove proprietary right over the village, as claimed by him, or the Govt.

BL 11-1-21.

To the Rev. Secretary

be consulted 4/-17/1/21.

No 623/

R

Rec'd 4.1.21

Note—Contn. sheet.

RCO 6137

F. R. S. III-21

General and Revenue Secretariat. | Misc File No. 187 of 1917

Serial No.

62. Subd for orders with reft to paras 60 above.
The Inam Village tables in case first
Inam after it and it has entries, etc,
has ~~x~~ over ~~transactions~~ ,
a title under ~~of~~ the contents of the issue
in Ref is that the ~~he~~ has
established proprietary rights over the
shape of Inam which is not to be given
In the ~~reply~~ report of the D.C. (Hig T) (in reply to the Sub-Div Off)
is ~~also~~ stated that the the purchasers
of the Inam lands under first mortgages
are to be considered as lessees and
not as owners of the lands with
hereditary rights.

by 24.1.21 25.1.21

63. Having regard to the past
history of the case. I do not think Mr.
R. Rau's claim to proprietary rights
can be conceded. He should only be re
garded as a lessee.

25-1-21

Rev see)
Discuss the case with Director.

by
30.1.21

64 I do not think the Registration Fee

NOTE—Contn. sheet.

Serial No.

asserts that he is the absolute proprietor of the village to the exclusion of the Sivaganga Matt: I believe he is quite prepared to recognize, as he must, the ownership of the village by the said Matt. His contention is ~~not~~ that he can not, in view of ~~the terms of the lease in this case~~ the history of the case, be held to be a mere lessee", but that he is entitled to higher rights. The Rev Court's view that he must be regarded as a permanent tenant, under Sec 84 of the L.R. Code, and that he must be treated in the same manner as an occupant of ryotwari lands in a Sircar village, seems to be the correct view. He can not be treated as a mere "lessee".

5. Next, his prayer that the assessment on the uncultivable Kharab and pomal ~~lands three~~ lands, may be remitted, seems to me to be based on good grounds, and the remission is deserved as recommended by the Rev Court

Mug/dcctd)

4.3.24.

5-7

G. R. S. III-2]

General and Revenue Secretariat.

Mus File No. 189 of 1917.

Serial No.

66 Refer requested to para 32-39 & 43 & 67. This is a Complicated Case & Calls for a Clear & perfect Study of the Rev-Records for the beg.g & hence I Could Venture to ~~to~~ Any depute presentation of the Case for Orders -

2 The lands were first Inam ent-d to Mr Murray Wynch in 1895; & they have ~~have~~ ~~succeeded~~. And since then the Lands have Changed hands - & now they are held by Mr Ranganatha Rao who Claims to have Obtained them by Sale fr - Mr. Kaudu

The Village is a Inam & Inaya ~~Inaya~~ Inaya & it is the fr. to have ~~had~~ only the temporary Management of it - On behalf of the Inam & All ~~Conduct~~ Cases & Questions Relating to the Village Shd be ~~Sued~~ - despised of Strictly in the ~~Rules~~ Law & Rule Applicable to

NOTE—Contn. sheet

G. R. S. III-2]

General and Revenue Secretariat. Mug File No. 189 of 1917

Serial No.

Villages & Lowadays Grant

To. The holder of such Villages. Can ~~the~~ he nothing more than a "lessee" - & to treat him as an occupant of all unalienated land in such Villages". will be practically conceding to him the right to absorb the Village or any portion of it, independently of the Govt — a right which will be inconsistent with the interests of the Govt. Which the Village belongs - & certainly be opposed to the Law as laid down in the late Chunilal Case 21 Bom of 17. Nov 1877 -

Govt as Maine hold at least, the question in dispute is a fair Sunday of

NOTE—Contn. sheet.

R. S. III-2]

General and Revenue Secretariat.

Mwz File No. 189 of 1917.

Serial No

Succession
of the Deceased of the Village
Lands - Since 1895 & More
particularly, the ~~late~~-
terms of the grant to
Mr Kaundanya & the right
conferred on the latter by
the grant ...

2. Mr Nagpurna Dalla
having got the land by
sale from Mr Kaundanya,
has no right to evict any
ryot related by him Granted
by Mr. Kaundanya

ALS

To Secy)

3. He might Secy may
make a further Study and put
up a Complete note ALS 5/3/21

4. Please see para 37.
The order of 24 March 1876 is
not on the file - Please move the
Revenue Offices & put up if found

ALS
8/3/21

Old files found in
sorting old Records
Untraced.
8/3/21

ALS
8/3/21

Noted. Copies sheet

Mr Ullman)

(G. R. S. III-2)

General and Revenue Secretariat.

Mis. File No. 189 of 1917.

Serial No.

Xys. Please put up copies of G.O. referred from time to time in the matter of lease of Nevadanga Mandalands & Villages.

The application of ~~Mr Ratter~~ Mr Mandanga for the grant of the villages referred to in G.O. of 31-3-05 which is in the file.

On the above G.O. the Dy has asked the Asst to obtain a Muchilika from Mr Mandanga in terms of the G.O. This is not among the records.

Please write to Dy Collr calling for the Muchilika & the Muchilika of Mr Mandanga

30/3/21.

Draft as per orders put up.

5/4 5/4/21

To secy 30 5/4/21

6/4/21

NOTE—Contn. sheet.

Serial No.	
8.	To, The Rev Commr in Mysore No. 3504 dt 14.4.1921 Requests to obtain & forward from the D.C, the Darkhast presented by Mr Kandinya & the Muteballika, if any taken from him together with the records of Correspondence since that month
9	From the Rev. Comr., letter no. C4007/Gl16-17 dt 2-7-21 Forwards copy of the Dy: Comr's letter, Bangalore Dt., stating that the original Darkhast given by Mr. Kandinya is not forthcoming and that no muteballika was obtained from him - 81. Refer invited to para 78. Submit for orders - paras 64 & 65 - Give the Rev. Secrett- View of the matter which 8d 2/8/21 is in support of the Rev. Comrs' opinion as to the rights of D.C. Rajamantha Devi over the village in question. 8d 3/8/21. Put up to Hon'ble Mr. Ry Put up 2/8/21

G. R. S. III-2]

General and Revenue Secretariat.

Mug File No. 189 of 1917.

Serial No.

84 I attend a Statement of Collections, Payments of Jodi & Net Credits of Revenue ahm for Sanyasi halli for 1900-1. as worked out in connection with [illegible]

	Collns.	Payments for Jodi &c.	Net Credit.
1900-1.	622-4-10	0-0-0	622-4-10
1901-02,	2-5-0	0-0-0	1-4-6
1902-03.	1-0-6	0-0-0	1-0-6
03-4.	2000-9-4	0-0-0	1-0-6
04-5,	2-1-0	2-1-0	2000-9-4
05-06.	231-5-3	23-10-3	206-15-0
06-07,	230-4-9	16-3-6	214-13-3
07-08,	300-0-0	8-3-3	166-12-9
08-09,	189-2-0	31-7-3	132-0-0
09-10,	30-15-3	30-15-10	151-10-3
10-11,	455-14-0	30-15-3	424-14-9
11-12,	30-15-3	30-15-3	0-0-0
12-13,	1-6-6	0-0-0	0-0-0
13-14,	62-6-6	62-6-6	0-0-0
14-15,	30-15-3	30-15-3	0-0-0
15-16,	1000-0-0 / 30-15-3	30-15-3	1000-0-0 / 1008-11-0
16-17,	[illegible]		
17-18,	Nil	Nil	Nil
18-19	Nil	Nil	Nil
19-20.	Nil	Nil	Nil
20-21,	"	"	"

Initialled W.L.R

NOTE—Contn. sheet

G. R. [II-2]

General and Revenue Secretariat.

May File No. 189 of 19

Serial No.

85. The outstanding arrears of demand at the close of 1920-1 was Rs 50 9 5 = 12 - 0 -
(Vide ~~Ref~~ Statement dtd from Anr - - - dy 25. 4. 22)
hereto Appended —

86. The facts of the case have been fully discussed in the Notes. ~~- paras 6.~~

87. It is reported that the original Dowkast of Mr Kaundanya is not forthcoming, & that the Nindrchuka was taken from him — tho' attention was specifically called from this office to the order of the Anr dy 25. 5. 05 ~~dtd 20 25 5 05~~ filed in the Ver. Records - -

Attn
20. 6. 22

To The Revenue Secy)
Sir Please this before Mr Jayaram

S.V.
23/6

NOTE—Contn. sheet

Sivaganga Mutt. in the Devanahalli Taluk for the year 1920-21
Superintendent order No. 5863 Dated 21-4-22.

Villages	Arrears of previous year demand	Demand for the year	Total demand	Collection by payment for the year	Collection by payment for fasli	Amount credited to Mutt. Date	Amount	Remark
1 Samvadahalli	44 7 9 0	61 4 8 0	50 5 12 0					
2 Devanahalli	113 12 6	61 6 0	175 4 6	26 [illegible]	9 0 0	3-6-21	17 8 6.	
3 Hero Kere	12 0 0	25 7 0	37 7 0	[illegible]	2 3 0	26-3-21	14 3 0	
4 Bammimangala	- - -	15 5 0	15 5 0	15 5 0	1 3 0	31-3-21	14 11 9	
5 Bammimangala	- - -	1 13 0	3 3 0	3 3 0	1 6 0	30-3-21		
6 Devanahalli (Kere)	103 10 0	25 0 0	128 10 0					

5-9-13

548666 73 13 6
54 [illegible] 9 0

L. Nanjappa
for Gangadhara
25-4-22

for [illegible]

G. R. S [II-2]

General and Revenue Secretariat. | MW3 File No. 189 of 19 17

Serial No.	
10	To The Dy: Comm Bangalore District No: 237 dated the 19th July 22 Enquires what Compensation has been paid to M.C. Raghunatha Rao for damages done to the Crops at Sampasikalli by the Military Department.
11	From The Dy: Comm., Bangalore Dr No. H.C-572 dt 26.7.22 States that a sum of Rs 1913-8-0 has been paid to M. Raghavendra Rao towards Compensation.
12	From M. C. Raghunatharao - Petn dt 27.7.22. Prays that his rights to the land at Sampasikalli may be recognised

NOTE—Contn. sheet.

General and Revenue Secretariat.

File No. 189 of 19 17.

Serial No.	

89. Srimugachadi Village is a Devadaya Inam belonging to the Sivaganga Mutt, whose properties have been under Court Management for more than thirty years past. The Mutt has no right to alienate it and Court, acting on its behalf can have no such right. The agent cannot have higher rights than his principal. A stream cannot rise higher than its source.

90. Inam lands in the Village were given by grant to the Mutt by Sivaganga Samasthanam and were registered on 24-11-1905 in the name of Sri Ramdurai — The pattadar — Sri Rajamanickam has — claims to have acquired the rights of Sri Ramdurai — for Rs. 1500 — that the assessment on the Inam lands should be waived for the years 1913-14 & 1914 both inclusive

(1) S. Ins

NOTE—Contn. sheet

R. S. III-21

General and Revenue Secretariat.

Rev File No. 189 of 1917

Serial No.

Issued at 6 82

and 16 S. Nos 2 which

is 16 acres 5 gunthas assessed

at

He contends that

S. No 5 92. was a kharab and

S. No 2 a pasad land and

that these were assessed when

the village was under ~~the~~ &

when it was expected that coffee

could be grown in them. But

that by produce has shown that

they are not fit for coffee cultivation

Hence he prays for the remission

of assessment on these lands

& he decided 93. Duly Sub Regr has

& the terms of the Sale dated

24-11-1905. The Khandsaris

had taken up the Village in Sale

& 3 on certain terms. He applied

for Concessions and the Order

dated 24-3-11 93 5. was therefore

passed. The ~~the~~ Collector in his

Letter forwarded to the

NOTE—Contn. sheet

General and Revenue Secretariat.

File No. 189 of 1917.

Serial No.

Enhancement of Cess has since been discontinued, the Ryots are pleased to sanction the following Progressive terms with effect from the year 1904-1905

For 1904-5, 2 as per rupee of assessment

1905-6 — 4 as

1906-7 — 6 as

1907-8 — 8 as

1908-9 — 10 as

1909-10 — 12 as

1910-11 — 14 as

1911-12 and subsequent years } the full Assessment as per Settlement.

94) As the whole area was surveyed & report whether the present Assessment requires any reduction as the ryots failed upon the grounds of poverty on account of the Famine as the progressive rates of Assessment

NOTE—Contn. sheet.

S. III-21

General and Revenue Secretariat.

Mug File No. 189 of 1917.

Serial No.

E

(referred to above) with the subject to Superintendent on receipt of the Survey and Settlement Commissioner's report.

2 195 After settling the survey Commissioner's grant [illegible] Jain Dikshi dated 24-11-1905 that it was undesirable to alter the rate of assessment fixed on the lands by the Survey and Settlement Officer 36 under this order. The Ramdurga and his successors in title are liable to pay the full assessment on the lands in question with effect from 1911-12.

17 The Court [illegible] acting on behalf of the Mutt, and the Ramdurga having entered into a Service Contract, they are bound by its terms. There is no provision in it for remission of assessment on this account, and the Court has not the same liberty of action

NOTE—Contn. sheet.

R. S. III-21

General and Revenue Secretariat.

File No. 189 of 1917.

Serial No.

that they would leave in a
body Village.

98. It may also be
pointed out that according to
the Survey Accounts there is
no Ground in the Village and
that Govt declined to
reduce the
Assessment in the lands in
the Village given the full
impression that Cess Estimates
had been abandoned.

99. It appears to me therefore
that there are no Grounds for
granting the remission prayed
for by Petr and recommended
by the Dist Collr.

100. The Kaifiyat
Rs 5 d 9 5 — 12 — 0
Rs 5 d 9 5 — 12 — 0

NOTE—Contn. sheet.

General and Revenue Secretariat.

May File No. 189 of 1917.

Serial No.

Re fine from Cumbum Kapu for the damage caused by them to the Village. He has already received from them Rs 1913. 8-0 and there is a prospect of his getting about Rs 2700 more.

First Note

1273-213
9.8.22

101 I think it is better to consult the G.A in the matter. This may be done now.

Rees
10.8.22.

BEN. & REV. SECR.
11 AUG 1922
MADRAS

102 forwarded unofficially with Compliments to the Govt. Would it be for favour of opinion?

Bangalore
10.8.22

103 I find from the letter dated 20-8-1920 addressed by Mr Raghunatha Rau to the Dy. Coll. that he was fully aware of the fact

D. No 16/1922-2
D, 16.8.1922

NOTE—Contn. sheet.

Serial No.

that the lands in question were given to the Kaundinya as Shrotriya tenure under Govt. of Govt dated 31-3 1905 and he has evidently bought the said lands in question with full knowledge of the terms and conditions of that Order of Government. and the petitioner is therefore bound to pay full assessment for the year 1911-

104. The Govt are only trustees for the Mutt and they are, in my opinion, bound to safeguard the interests of the Mutt and cannot, in the absence of very strong grounds, grant any remission. Objections to assessment if any should have been raised within a reasonable time of the order of Govt and having taken possession of the land and enjoyed them for such a long time it is not now open to the petitioner, who claims title from Mr Kaundinya, to put forward any objections.

General and Revenue Secretariat.

My File No. 189 of 1917

Serial No.

105. At any rate he is not entitled as of right to any remission and the discretion of Government is very much fettered in the matter of granting any remissions in view of the fact that they are managing the Estate on behalf of the Ruler.

W Shanleeee

468

General and Revenue Secretariat.

Mug File No. 189 of 1917.

Serial No

May be taken to give effect to his recovery of assessment in arrears.

Illegible
2.9.22.

P.S. 109. What about the hire to the village? This must be taken up now. Early disposal is strongly indicated.

Illegible
2.9.22 — 2/9/22

110. Draft order submd.

8d — 8d
8/9 8/9/22

111. After the issue of Orders about remission, the question of hire will be taken up

Final Member 2/9/22

112. 2859-485 29.9.22. 113. Appeared. Post the case and be kept in view & make workable up for early disposal.

Illegible 114. Issue.
30.9.22 4/10/22

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat.

Mug File No. 189 of 1917.

Serial No.	
13	To The Rev: Comm^r in Mysore " Mug: Comm^r in Mysore " Collector to Govt. " Dy: Comm^r Bangalore " Supdt: Revenue Survey — No: 1472-6 & 12th Oct: 1922 Orders that there are no grounds to write off the assessment or to remit the premium recommended 115. As regards the title of Nos Rajanumbla to the Inam Sannyasikalli village (also to the Sivaganga Nadu) Kind reference is invited to the paras 30, 34, 35, 55 to 60, 62 to 72 & paras 89 and 90. 116. Submitted for orders as to whether the Advocate has to be consulted in the matter (vide para 106) 117. The Proc^s &: containing the P.C. noted in the margin is returned herewith. 25/10/22 118 Please find enclosed G. O. dated 31 March 1905 referred to by Mysore Minister Rao in his letter dated 27 July 1922 And all other documents relied upon Bangalore 26/10/22

It is [illegible] his title to the village, see also G.O. No. 1726-72 dated the 6th June 1889 (Procs VR for June 89) & a parallel case (Vide Bk 373 Vol I/New)

NOTE.—Contn. sheet.

Serial No.

D.

118. The ...o. of Marcla 05 ... in the ... Etc. The two other persons ... to be ... Mr Raghunatha Rao are the ... to his ...

Secy. -
SD
26.10.22

119 Raghunatha Rao Contends that his title to the Village is unequivocal but I do not think that his ... is tenable.

120. His rights are those acquired under ... dated 21-11-1903 and 31 March 1905 and 24 November 1905.

121 Assuming for the sake of argument that the Dewan himself has in prescription of the Village would he have been within his rights in giving it out on the terms set forth in the orders referred to above or would this be regarded as an alienation.

122 Long leases, may be ... of permanent leases are considered to be practically temporary alienations (Chapter 7 Mysore Manual) And neither the Mutt nor the ...

V
D
E

NOTE—Contn. sheet.

S. III-2,

General and Revenue Secretariat.

26505

Mis File No. 189 of 1917.

No

Are Govt on behalf can make alienations.
For opinion of
Advt Mr Raghunatha Rao
Govt
18.11.22

124 Forwarded, with compliments, to the Govt Advocate for opinion.

Secretary to Govt.
Rev: Deptt.

20/11/22

125 From a study of the history of the case as disclosed by the several papers forming part of this file I find that the Inam Sanyasahalli village in question is an inam granted to the Sivaganga Mutt with a jodi of Rs 15/- payable to Government. Under the orders of Government dated the 23rd December 1893 the village came under the management of the Muzarai Department and at that time no part of the village was under cultivation

Govt Rev 92/1923 dt 9.1.23.

NOTE—Contn sheet

it had become a Peeharath village.

126 About the Early part of 1895 one Mr Murray Aynsley applied for the grant of this village for Coffee cultivation on kuruva tenure agreeing to pay to the Govt such assessment as might be fixed thereon on a regular survey and settlement. Government were pleased to accept Mr Aynsley's offer and sanctioned the whole of the village lands except the minor Inams - on a progressive scale of assessment - full rates being payable from the 5th year, viz 1898-99 onwards, the actual assessment fixed being Rs 566-8-0 for a total acreage of 362a-27 guntas (including 15a-30 guntas of minor Inams which were left out of calculation of assessment (vide G.O. No 1077 Mun-7-36-93 dated 1-6-1895).

127 The grantee enjoyed the village till 98-99 & paid the full

Serial No.

full assessment for the 5th year and thereafter sold the lands to Mrs Blake, who also paid full assessm for the year 99-00. Subsequently however an application was made on her behalf for an Extensi of the Shrotriem tenure, but her prayer was rejected and a remissi of ½ the assessment was ordered. But as the assessment was not paid the lands Estate was declared forfeited and was notified for sale and as nobody came forward to bid for the village it was resumed to Government.

Was this quite in order? Yes

118 Later on one Mr Kamdhenu came a Dasturkhat for the Estate offering to pay up the arrears which by then had amounted to Rs 7000 odd. His offer was accepted & he was put in possn in December 1903. He too did not however pay the assessment as promised but submitted a Memorial praying for certain Concessions and a

Serial No.

a careful consideration of all the circumstances of the case that village was granted to him on Sheriya tenure - on a progressive rate of assessment - with effect from 1907-08 full assessment being payable from 1911-12 onwards and, though the question of the rate of assessment was left open in the G.O. of 31-3-05, it was later on held as per G.O. dated 26-11-05 that it was undesirable to alter the rates of assessment fixed on the lands and that the Sheriya rates were themselves quite liberal.

29 The present applicant Mr Raghunatharaw purchased the right, title and interest of Mr Karundinya in this Estate as per Indenture dated 12-4-1908 and has therefore stepped into the latter's shoes. Mr Raghunatharaw has clearly admitted in his petition dated 31-7-08 to Government that the village belongs to the Sivaganga Mutt

NOTE—Contn. sheet.

Matt, and it is true me clear that he admits that he holds a position subordinate to the Matt and claims to be an inferior holder.

130 The question for consideration is - What is the Exact nature of the title acquired by the applicant.

131 Though the procedure adopted in the present case in giving the lands to the Kaundinya is that which is usually employed in cases of disposal of lands as Devkhast, the arrangement appears to be of the kind contemplated by S. 85 of the Land Revenue Code, as the Estate is an Inam village and as Government acted in this matter only as the Agent of the Inamdar.

This is first point Rec

132 The rights secured by the party are in my opinion those of a "Kadeem Inamdar" as defined in S. 84 of the Code. He has a right to continue to hold the Estate paying the rent reserved

viz- the full assessment fixed under the G.O. above referred to.

133 The other rights and liabilities of a Kadim Inamdar are detailed in S. 84 and the preceding sections of the Code and it is therefore unnecessary for me to repeat them here.

Yours obedt
Gov Advocate
9/1/23.

134 Submitted with reference to the first members query contd. in para 109 page 42 above. Reply is also noted in paras 34 & 35, 64 & 65.

BG 10.1.23

135 I agree. Rather-
some time to consider this case.

136 The opinion of the Govt Advocate may be agreed to.
First Member

W.J. 6/2

P.T.O.

6462-159
6.2.23

Serial No.

137 Secn. Vide marginal remarks against Mr. Q. A's note of 9.1.23. Mr. Raghunathakao interviewed me last week & represented that the title which he acquired from Mr. Kaundinya for a consideration was a full & absolute one, as the latter had acquired his title after the lands had been declared forfeit to Govt. for default in payment of assessment by the previous holder. This point requires further examination therefore in my opinion.

138 Mr. Raghunathakao also represented that the orders re recovery of arrears of assessment were also not pair even if correct that he was submitting a review application for re-consideration of the orders passed thereon. When received, may be dealt with in the usual course.

Reed
7.2.23.

ST 7/2/23. 14 From Mr. Raghunatha Rao Rep. dt 16.2.23 praying that the matter may be reviewed in the light.

139 The contention of Mr. Raghunatha Rao is that there was nothing in the Sale Notifications & judicial

NOTE—Contn sheet.

Revenue Secretariat. File No. of 19

Serial No.

that the property belongs to the Sri Sringeri Mutt and that he acquired all the rights of the previous holders. He prays that the matter may be dealt with on the files & ile Sub. for orders - Refer para 138 Estg

RG
16/4/23

140) Why, the reference to the Revenue Commissioner is not required by Mr Gay himself has in his letter prayed for it.

16/4/23

Revenue Branch -
N. R. Lewis

141) Write records of the case particularly the Sale is likely to be necessary for ~~draft~~ reference, draft Sale

SK 16.4.23

142) Issue

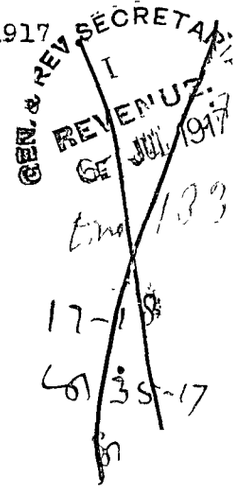
16/4

To the N.C
No R 4662 dy 4.4.23.
Reports him to send the entire
Revenue records of the case very early.

SRS
25.4.23

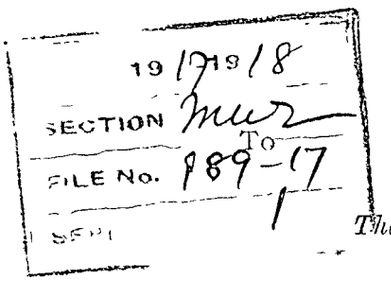
OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE,

Bangalore, ~~the~~ July 1917.



No. C4007
24 FROM file

REV No. 365



K. Doraswami Iyer Esquire
Revenue Commissioner in Mysore.

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Revenue *Department.*

SIR,

I have the honor to forward herewith copies the marginally noted communications from the Deputy Commissioner galore recommending sanction to the writing off of the assessment on the unculturable gomal and kharab lands of the Inam yasihalli in the Devanhalli Taluk and to the remitting of the ar - rs of Revenue on these lands from 1913-14 to 1916 -17.

c No. C. 1108/H.O. dated 9-4-1917
dated 2-6-1917.

2. Sanyasihalli is one of the Inam villages owed to the SriSivaganga Mutt and is now under the direct management the Muzrai Department. The village in question with the exception few minor Inams contained therein was in 1894-95 assessed and nted to one Mr. F.C. Murray Aynsley for coffee cultivation on Shraya urc. After changing many hands the village finally came into the session and enjoyment of the present lessee one Mr. Raghunatha Rao. the attempt to grow coffee on the lands in the village had failed, made representations to the local authorities in the matter and pray- that the assessment on the unculturable gomal and kharab lands of the village might be written off the accounts and that the arrears of assessment on these lands might be remitted.

3. The Deputy Commissioner states that the

prayer

prayer of Mr. Raghunatha Rao deserves consideration.

3. Under the circumstances set forth the Deput Commissioner's recommendation may be sanctioned.

I have the honor to be,

Sir,

Your most obedient servant,

Revenue Commissioner.

CKS.

Letter No. C. 1108/H.O. dated the 9th April 1917 from the Deputy Commissioner, Bangalore District, to the Revenue Commissioner in Mysore, Bangalore.

I have the honor to state that the village of Sanyasihalli in the Devanahalli Taluk, which is one of the Inam villages endowed to the Sri Sivaganga Muti, was in the year 1894-95, granted to Mr. Murray Aynsely on Shraya tenure for Coffee cultivation. He continued to be in the enjoyment of the villagefor 5 years, paying the assessment on Shraya tenure for 4 years and full assessment (Viz., Rs.594½) for the 5th year. He sold the village to Mrs. Blake in the year 1899-1900 who having allowed the kandayam to fall into arrears the village was advertised for sale and was resumed to Government for want of bidders.

2. On the darkhast of one Mr. Kaundinya for the village, offering to pay up the whole of the arrears (Rs.2000-9-2) his offer was accepted and he was put in possession of the village in December 1903. (Vide G.O. No. 1356/Muz.36-93 dated 21-11-1903 When he came to the enjoyment of the village he submitted to the Government a representation praying (1) that the kandayam for 1903-04 might be remitted as he was put in possession of the village late in the year. (2) That for the future years, the assessment might be reduced from Rs.594-8-0 to Rs.200, as coffee cultivation could not be carried on in the village . And (3) That he might be allowed the same progressive terms as were given to Mr. Aynsley.

3. The government were pleased to grant the first request, but as regards the 2nd and 3rd, they were pleased to sanction certain Shr ya terms from 1904-05, under which the full assessment was to be levied from 1911-12. (Vide GOVERNMENT ORDER No. 3625-8/Muz.dated 31-3-1905).

4. Mr. Kandinya continued payment of the kandayam of Shrayam

tenure till the close of 1906-07, when he seems to have sold the village to one Raghunatha Rao (the present Occupant) who paid the kandayam for the years 1907-08 and 1908-09.

5 The assessment due from the year 1909-10 to the close of the year 1916-17 comes to Rs.4533-1-0, of which Mr. Raghunatha Rao has paid Rs.2000/- allowing the balance to fall into arrears. His representation in the matter is that the gomal and karab lands and the breached tank bed have all been assessed at the survey settlement, that the assessment was fixed when Mr. Aynsley took up the village for coffee cultivation and that as coffee is not grown, the extra assessment imposed on the tank-bed and karab and gomal lands (Measuring A 126-15 C .....assessed at Rs.184-13-4) may be abolished and assessment recovered from him only at the rate of Rs.255-4-0 as per quit rent register. At a personal hearing he expressed his willingness however to retain the tank bed (Survey No. 6) in his holding and prayed for the assessment on the Comal and Karab alone, (measuring 100 acres with an assessment of Rs.134) to be written off. The arrears of assessment on these lands from the year 1913-1914 (when he first prayed for the reduction of assessment) being remitted. Considering that the karab and gomal lands in question which had been assessed for the purpose of coffee cultivation on the application of Mr. Aynsley is said to be not fit and not used for any cultivation, and that there are no other gomal and karab lands left unassessed in the village, the prayer of Mr. Raghunatha Rao for writing off the assessment on these unculturable lands and remitting the arrears of assessment thereon from the date of his first representation in the matter is deserving of consideration and I therefore beg to recommend it for the favourable consideration and orders of Covernment.

6. The file of papers on the subject is submitted for reference.

---- 'C o p y'

Ramanaraya?

CKS.

For Revenue Commissioner.

57

Letter No. C. 1108 dated the 2nd June 1917 from the Deputy Commissioner, Bangalore District, to the Revenue Commissioner in Mysore, Bangalore.

With reference to your docket No. C. 4007 dated Bangalore the 21st instant, calling for information as to what further action was taken under Government Order No. Muzrai 3626-8 dated 31st March (not "May" as noted in the docket) 1905 as regards the settlement of assessment on lands in the Sanyasikalli Village in the Devanahalli Taluk now in the enjoyment of Mr. C. Ranganatha Row, I have the honor to invite reference to Government Order No.2478-9/Muzrai dated Bangalore the 24th November 1905 (Pherist No. 37 flagged A) enclosed in the file of records herewith re-submitted. In the said Order, Government have concurred with the Survey and Settlement Commissioner, in thinking that it was undesirable to alter the rates of assessment fixed on the lands by the Survey and Settlement Department.

2. The prayer of the present holder of the lands (Mr. Ranganatha Row) is, as stated in this office letter No. C. 1108 dated 9th April 1917, that the arrears and the assessment on the Gomal and Kharab lands (measuring 100 acres with an assessment of Rs.134) be written off.

3. In the circumstances and for reasons explained in the last para of this office letter No. C. 1108 quoted above, I recommend Mr. C. Ranganatha Row's prayer, for favourable consideration and orders of Government .

4. The file of records received with your docket under reply is herewith retransmitted for reference, and kind return.

"Copy"

For Revenue Commissioner.

CKS.

57

VI—G/32]

relating to the case of Sanyasihalli.

SUBJECT Returns the papers to the Rev: Comr for a re-consideration of his recommendation in the light of the points suggested and calls for their resubmission for orders, if found necessary

Diary No. of letter replied to 365

Section Inam
File No. 187-17
Serial No. 2

GENERAL AND REVENUE SECRETARIAT,
(May)
, *the* *191* .

No. 1387 G. Files

Date of issue 16-12-17

To

Signed by Sri: M Sadasiva Rao

The Revenue Commissioner
in Mysore

Sir,

With reference to your letter No. C 4007 & 5-7-17 recommending sanction to the writing off of the assessment on the uncultivable gomal and kharab portions of the Inam village of Sanyasihalli in the Devanhalli Taluk and to the remission of the arrears of revenue on these lands from 1913-14 to 1916-17, I am directed to

State as follows:-

The Sanniyasikalli village belongs to the Sivaganga Mall and the Govt is only in temporary management. There is nothing in the records to show the nature of the right which was made over to Mr Murray Ainsley and later on to Mrs Kaundinya. The sale records relating to the transaction may, perhaps, throw some light on the point. ~~In law these could have been only lessees, and if so they~~ but legally speaking they are only entitled as the property and are therefore bound by the terms of their lease. It is not clear why the practice of the Rev: Deptt should be imported in this case to evict the lessee to the prejudice of the Mall. The lessees have been twice given shrotriem rates and after full enjoyment of the concession a claim is now put forward for levying the rent and it is a matter for consideration how far their claim is justified.

I am to request that the case may be again examined in the light of the above remarks and resubmitted for orders, if necessary, with the Rev: records which were returned herewith.

I have etc
Illegible 12.17
Jt Secretary
Mug: Deptt.

20/11/17

20/11/17

* when interest in the property was purchased by Mr Murray Ainsley

List of enclosure

Copied by

Examined by 13/12

WD 16—GPB—60,000—15 11 16

60

R. C. 4

1394
08 29
Muz
188-17

From

K.R. Srinivasaiengar Esq., B.A.,
Revenue Commissioner in Mysore.

To

The Joint Secretary to the Government of
H. H. the Maharaja of Mysore,
Muzrai *Department.*

Dated Bangalore, 12th February 1919
Despatched 14-2 58770
Received
General No. ಸ.ಕಂ.೧೨೨೨/೧೮-೧೭
Enclosure No. 3 & 2 files

SUBJECT.

Regarding the writing off of the assessment on the uncultivable gomal and kharab portions of Inam Sanyasihalli village, Devanhalli Taluk, Bangalore Dist.

OFFICE OF THE REVENUE COMMISSION
IN MYSORE.

No. C4077 42
37 files

Bangalore, 12th February 1919.

FROM

K. R. Srinivasaiengar Esq., M.A.,

Revenue Commissioner in Mysore.

To

Joint
The Secretary to the Government of
His Highness the Maharaja of Mysore,
M U Z R A I *Department.*

SIR,

Adverting to corresponaence ending with your letter No.C.1387/Muz.189-17-2 datea 18th December 1917 in the matter of the writing off of the assessment on the uncultivable gomal ana kharab portions of Inam Sanyasahalli village, Devanhalli Taluk, I have the honour to forward herewith copy of Bangalore District Deputy Commissioner's letter No. C.1108/H.O. of 16-17 dated 19th October 1918 together with its enclosures in original and to state as follows:--

The facts of the case are fully set forth in Bangalore District Deputy Commissioner's letter No. C.1108/H.O. dated 10th April 1917 (copy enclosed for reaay reference). The tenor of G.O. No.1077--Muz. F.36-93 dated 1st June 1895 sanctioning Mr. Murray Aynsley's darkhast of 20th December 1894 G.O. No.1356/Muz.36-93 dated 21st November 1903 approving of the transfer of the village to Mr. Kaundyannya, G.O No.3626-8 dated 31st March 1905 fixing shraya rates for the village for seven years from 1904-05 and full assessment thereafter and G.O. No.2478-9 dated 24th November 1905 declining to alter the assessment fixed by the Survey Department shows that the holder of the village is not quite in the position of a lessee.

He

He is more a permanent tenant as defined in S.No.84 of the L.R. Code and as such, so long as the village is under Government management, it seems to me that he should be treated in the same way as occupants in Government villages would be under similar circumstances. The Quit Rent Register, the Akarband of the village and the Survey Superintendent's letter No.5856 dated 18th December 1915 to the Deputy Commissioner indicate that a total extent of 85 acres and 7 guntas of land as detailed in the margin was treated as uncultivable at the time of the valuation survey of the village. Mr. Raghunatha Rao, the present holder of the village, prays that the assessment on the gomal and kharab portions of the village (measuring 100 acres with an assessment of ₹134/-) may be written off. These lands which had been originally assessed for the purpose of coffee cultivation are considered unfit now either for this or for any other cultivation; and simply because the present occupant took them up knowing that they had been assessed for coffee cultivation, I do not think that his prayer should be rejected solely on this ground. On the other hand, in my opinion, equity requires that he should not be made to pay assessment on land which he cannot make use of for cultivation. In the circumstances, I would repeat, for the consideration of Government, the recommendation made in this office letter No. C.4007 dated 5th July 1917.

	Acres	Guntas.
Bavtan	1	13
Road	8	30
Survey No. 5	69	14
Uncultivable portions of other lands.	5	30
Total	85	7

I have the honour to be,

Sir

Your most obedient servant,

Revenue Commissioner.

M.B.R.

Letter No. C.1108/H.O. of 16-17 dated 19th October 1918 from the Deputy Commissioner, Bangalore District, to the Revenue Commissioner in Mysore.

With reference to your letter No. C.4007 of 1916-17 dated 31st December 1917 calling for a further report in the light of the remarks made in the Muzrai Secretary's letter No.11387/Muz 189-17-2 dated the 18th December 1917 re- the grant of remission of arrears of assessment on certain lands in Inam Sanyasihalli village, Devanhalli Taluk, I have the honour to state that the Amildar of Devanhalli on inspection of the lands in question reports in his itilla No.143 dated the 16th August 1918 that the valuation survey of the village made by the Survey Department fixed the amount at Rs.594-8-0 that each of the survey numbers was assessed on the understanding that all the lands would in course of time be gradually brought under cultivation, that the lessees instead of cultivating the lands allowed some of them to lie fallow, and that the present lessee Mr. C. Raghunatha Rao was cultivating only a portion of the lands and was growing grass on the remainder. He suggests that the village should be surveyed and is of opinion that the present lessee should be made to pay the assessment fixed by the Survey Department, as he is bound by the terms under which the lands were granted to Mr. Kaundinya there being no reason why the mutt should be made to suffer for the neglect of the lessees to cultivate the lands. The Sub Division Officer, Doddaballapur, in concurring with the opinion of the Amildar has observed that since Mr. Raghunatha Rao, the present occupant has purchased only the interest in the property from Mr. Kaundinya, the former is bound by the conditions under which the latter took up the property. In the above circumstances, it seems to me that view taken by the Amildar and the Sub Division Officer is a fair one, and I do not think that there are good grounds for favourably considering the prayer of Mr. Raghunatha Rao who in his letter

dated the 7th March 1918 (copy enclosed) desires to be an absolute proprietor of the property instead of a lessee, as the holder prior to him had already been shown some concession by way of shraya tenure and as the granting of his prayer would help the lessee to the prejudice of the mutt.

The entire file of Vernacular papers on the subject is submitted for reference and kind return.

" C O P Y "

For Revenue Commissioner.

M.B.R.

Letter No. C.1108/H.O. dated 10th April 1917 from the Deputy Commissioner, Bangalore District, to the Secretary to Government, General Department.

I have the honour to state that the village of Sanyasihalli in the Devanhalli Taluk, which is one of the Inam villages endowed to the Sri Sivaganga Mutt, was in the year 1894-95, granted to Mr. E.C. Murray Aunsely on Shraya tenure for Coffee cultivation. He continued to be in the enjoyment of the village for 5 years, paying the assessment on Shraya tenure for 4 years and full assessment (viz. Rs 594½) for the 5th year. He sold the village to Mrs. Blake in the year 1899-1900 who having allowed the kandayam to fall into arrears the village was advertised for sale and was resumed to Government for want of bidders.

2. On the darkhast of one Mr. Kaundinya for the village, offering to pay up the whole of the arrears (Rs 2000-9-2) his offer was accepted and he was put in possession of the village in December 1903 — (Vide G.O.No.1356/Muz.36-93 dated 21st November 1903) When he came to the enjoyment of the village he submitted to the Government a representation praying (1) that the kandayam for 1903-04 might be remitted as he was put in possession of the village late in the year, (2) that for the future years, the assessment might be reduced from Rs 594-8-0 to Rs 200, as coffee cultivation could not be carried on in the village, And (3) that he might be allowed the same progressive terms as were given to Mr. Aynsley.

The Government were pleased to grant the first request, but as regards the 2nd and 3rd, they were pleased to sanction certain Shraya terms from 1904-05, under which the full assessment was to be levied., from 1911-12. (Vide Government Order No.3625-8/Muz. dated 31st March 1905)

Mr. Kaundinya continued payment of the kandaya Shrayam tenure till the close of 1906-07, when he seems have sold the village to one Raghunatha Rao (the present Occupant) who paid the kandayam for the years 1907-08 an 1908-09.

The assessment due from the year 1909-10 to the cl of the year 1916-17 comes to Rs 4533-1-0, of which Mr. Rag natha Rao had paid Rs 2000/- allowing the balance to fall arrears. His representation in the matter is that the g and kharab lands and the breached tank bed have all been assessed at the survey settlement, that the assessment wa fixed when Mr. Aynsley took up the village for coffee cul tion and that as coffee is not grown, the extra assessmen imposed on the tank bed and karab and gomal lands (Measur 126 acres 15 guntas assessed at Rs 184-13-4) may be abolishe and assessment recovered from him only at the rate of Rs 255- as per quit rent register. At a personal hearing he expre his willingness however to retain the ~~work~~ tank bed (Survey No.6) in his holding and prayed for the assessment on the g and karab alone, (measuring 100 acres with an assessment of Rs 134/) to be written off. The arrears of assessment on th lands from the year 1913-14 (when he first prayed for the reduction of assessment) being remitted. Considering that the karab and gomal lands in question which had been assessed for the purpose of coffee cultivation on the application of Mr. Aynsely is said to be not fit and not used for any cultivation, and that there are no other gomal and karab lands lef unassessed in the village, the prayer of Mr. Raghunatha Rao for writing off the assessment on these uncultivable lands and remitting the arrears of assessment thereon from the date of his first representation in the matter is deserving of consideration, and I therefore beg to recommend it for the favourable consideration and orders of Government.

The file of papers on the subject is submitted for reference.

" C O P Y "

For Revenue Commissioner

M.B.R.

68

Basavangudi
Bangalore, 7th March 1918.

From

Mr.C.Raghunatha Rao,
Proprietor, Sanyasihalli Estate,
Devanhalli Taluk.

To

P.F.Bowring, Esq., J.P.,
Deputy Commissioner,
Bangalore.

Sir,

I beg to acknowledge the receipt of your order No.A.C.270/1916-17 Dod.dated 7th January 1918.

In one of the references read in the above the Huzrai Secretary has observed that Mr.Raghunatha Rao and holder prior to him were only lessees of the property". With reference to this observation I beg to submit that my predecessor Mr.N.N.Kaundinya purchased the property from the Deputy Commissioner, Bangalore, in 1903 and I purchased it from him since, We are therefore the absolute proprietors of the property.

In these circumstances I respectively beg that the term "Lessee"which is now introduced for the first time since 1895 and the employment of which will prejudice my interest and subject me to incalculable loss may be kindly removed. For this act of kindness I shall feel ever greatful.

I beg to remain,
Sir,
Your most obedient servant.
Sd/- C.Raghunatha Rao.

"C O P Y"

Offg. Deputy Commissioner,
Bangalore District.

69

SUBJECT Calls for additional information from the Sub. Supdt. re writing off assessment on the uncultivable portions of the inam Sanyasiballi, Devanhalli Taluk.

Diary No. of letter replied to .....

Section

File No.

Serial No.

GENERAL AND REVENUE SECRETARIAT,
(,,)
, *the* 191

No. 3 995 Ecn I.

To

Date of issue 19. 6. '19

Signed by Jno. Sadasiva Rao

I am directed to forward herewith a Copy ~~of the Statement that the~~ for which is required in ~~this~~ Office.

~~Copy herewith forwarded for reference~~

Sanction to the writing off [illegible]

71

W D 316—GPB—750—22 12-15

Sub. 104]

No. 44.
Enc. one

OFFICE OF THE SUPERINTENDENT
MYSORE REVENUE SURVEY,
Dated, Bangalore 25th August 1919.

From

D. K. DARASHAH, ESQ., B.A.,
Superintendent of Revenue
Survey & Settlements in Mysore.

To

The Secretary to the Government of H. H.
the Maharaja of Mysore,

Muzrai Department.

SIR,

With reference to your letter No.3995, dated 17th June 1919, asking for information as to the extent of the Kharab and Gomal lands in the Jodi Sanyasihalli village, Devanhalli Taluk, I have the honor to state as follows.--

2. From correspondence ending with G.O.No.1077/Muz. F.36-93, dated 1st June 1895, it will be observed that survey settlement was not introduced into the village in question, but as the whole village was applied for coffee cultivation, the assessment on the lands was fixed on the basis recorded at the time of the valuation survey and classification. Subsequently, the purpose for which it was taken was changed, and the village, as a whole, was granted on shraya tenure in G.O.No.3626-8, dated 31st March 1905. In both of these grants, the village having been dealt with as a whole and the grantee being a single individual, there was no occasion to allot lands for purposes of village cattle, particularly as the village was Bechirakh.

3. It has then to be ascertained whether any land was treated as Kharab or Gomal at the time of valuation survey

and

and classification, which took place in 1878. There was no land set apart for the village cattle at the valuation classification apparently because the village was an abandoned one. The Prati or classification book shows that Survey No.5, extent 69 Acres 14 guntas which was at first treated as arable land, was subsequently changed to Kharab because there was a great deal of rocky soil in it, and that Survey No.6, measuring 25 Acres 28 guntas, which was a breached katte, was treated as kharab at measurement but as arable at classification, as portions of it were said to have been cultivated and as it had breached long before and was not capable of impounding even a small quantity of water. The remarks made by the classer show however that grass was ~~having~~ grown in this tank bed and that cattle were allowed to graze on it.

4. The orginal Prati book is in Mahrati. translation of the entries made against the two numbers above mentioned is enclosed herein.

5. When any land is treated as kharab or Gomal, it cannot, from its very nature, remain in holding, but must revert to Government, in this case to the Inamdar.

I have the honor to be,

Sir,

Your most obedient servant,

Superintendent.

L.S.R.

1919.

From

The Superintendent,

Mysore Revenue Survey

To

The Secretary to the Gove
ment of H. H. the Mahar
of Mysore,

Muzrai Department.

Dated

Despatched.

Enc.

SUBJECT.

Submitting information re
Kharab and Gomal lands in the Jog
Sanyasihalli village, Devanhalli
Taluk.

ಮಾಟ್ರಿಕ್ಸ್ ಸಮ್ಮೋಹನ ವಿಧಾನ - ಸರಳವಾದ - ದೊಡ್ಡವರ್ಗಗಳಿಗೆ - ಲಾಭದಾಯಕ - ದೊಡ್ಡವರ್ಗಗಳಿಗೆ - ಉಪಯೋಗವಿಲ್ಲ
ಅಯಸ್ಕಾಂತ ಸಂಖ್ಯೆಗಳು ಸ್ಥ - ಈ ಉಪಕ್ರಮಗಳಲ್ಲಿ ಕ್ರಮವಾಗಿ ಇಟ್ಟಿರುವ ಸಂಖ್ಯೆಗಳಿಗೆ ಅಯಸ್ಕಾಂತ ಸಂಖ್ಯೆಗಳು
ಕರೆಯಲಾಗಿದೆ —

ಉದಾ: ತ್ರಿಮಾಯಾ ಸಂಖ್ಯೆಗಳು ಸ್ಥ — ಸರ್ಕಾರಿ

ಸರಣಿಯ ಸಂಖ್ಯೆಗಳ ಕ್ರಮಾಂಕ ಕೆಳಗಿನಂತೆ ಇದೆ -

ಸರಣಿಯ ಸಂಖ್ಯೆಗಳ ಸಂಖ್ಯೆ

ಅಯಸ್ಕಾಂತ ಸಂಖ್ಯೆಗಳು

ಈ ಸಂಖ್ಯೆಗಳ ಕ್ರಮವನ್ನು ಕೆಳಗಿನಂತೆ ಇರಿಸಿ -

ಕ್ರಮ

೧೬	೨	೩	೧೩
೫	೧೧	೧೦	೮
೯	೭	೬	೧೨
೪	೧೪	೧೫	೧

ಸರಣಿಯ ಸಂಖ್ಯೆಗಳು

ಸಾಲು	ಕಾಲಮ್ಮುಗಳು	
	೦	೧೬
ಕ್ರಮ	ಮಿಶ್ರ	ಅಯಸ್ಕಾಂತ
೧	೧	೨
೨	೨	೩
೩	೩	೧೩
೪	೪	೫
೫	೫	೧೧
೬	೬	೧೦
೭	೭	೮
೮	೮	೯
೯	೯	೭
೧೦	೧೦	೬
೧೧	೧೧	೧೨
೧೨	೧೨	೪
೧೩	೧೩	೧೪
೧೪	೧೪	೧೫
೧೫	೧೫	೧
೧೬	೧೬	೧೬

ಸರಣಿಯ ಮೊತ್ತ - ೨೧೪೦

೧ ಸಂಖ್ಯೆ ಕ್ರಮಾಂಕದ ದೂರ ಸಲ್ಲಲು ॥

೨ ಉಸಂಖ್ಯೆಗೆ ಸೂಚ್ಯಕ ಹಾಕುವ ಸಹಿತಾಪ ಉಳ್ಳದ್ದು —

೩ ದಶ ಸ್ಥಾನಕ್ಕೆ ಸಲ್ಲಿ ಕೊಡಿಯಲು ದೂರ ಸಲ್ಲಲು ॥

೪ ಸೂಚ್ಯಜನ ಉಳ್ಳದ್ದು ಸೂಚ್ಯಚಿಹ್ನೆ ಇಟ್ಟಿಗೆ ನೋಡಿಕೊಂಡ ಪೈಲೆಲ್ ಸಲ್ಲದ್ದು ಉಪಯೋಗಿಸಿ ಸಹ ಸಾಧಿಯಾಗಿಸಿ —

೫ ಸರಣಿಯ ಸಂಖ್ಯೆ ಸರಿಯಾಗಿ ಉಳಿದ —

೬ ಉಸಂಖ್ಯೆಗಳ ಸಲ್ಲಿ ಪಿರಾಮಿಡ್ ಚಿತ್ರಗಳಲ್ಲಿ ಕೆಳಗಿನಿಂದ ಮೇಲಕ್ಕೆ - ದಿನಸಿ - ಸೊಪ್ಪುಗಳು - ಸಾಮಾನ್ಯ ಸಸ್ಯಗಳ ಸಾಲಿನ ಸ್ಥಾನಕ್ಕೆ ಸರಿಯಾಗಿ ಸೂಚಿಸಿ —

೭ ಉಳಿದ ಸಂಖ್ಯೆಗಳು ಸಲ್ಲಿ ಕೊಡಿಯಲು ಸಲ್ಲದ್ದು ಉಪಯೋಗಿಸಿ —

ಸದರಕ್ಕೆ ನಂಬರ ದಯಪಿಸಲಿಕ್ಕೆ - ಮಲ್ಲಿಕ್ ಜಮೀನ ಕ್ಲಾಸ ತಕ್ಕಿಸಿಕೆ

ಇ ಸೈನಮಂಗಿಸ್ಟಾಂತ ಸಲ್ಲಿಸಲಾಗಿದೆ.

ಸಹಿ/-

ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರ್.

ಸಹಿ/-

ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಸರ್ವೇಯರ್.

ಸಹಿ/-

ಅಸಿಸ್ಟೆಂಟ್ ಕಮಿಷನರ್.

ಸಹಿ/-

ಡಿಸ್ಟ್ರಿಕ್ಟ್ ಸರ್ವೇಯರ್.

ಈ ನಂಬರಿನ ಕಲ್ಲು ತೆಗೆಸಿದ ಬಗ್ಗೆ ಸಾಕ್ಷಿ -

ಸಹಿ/-

ಸಾಕ್ಷಿ

ಸಾಕ್ಷಿ

ಕಲ್ಲು	ದಿಕ್ಕು	ಅಂತರ
ಇ	ಪೂರ್ವ	೧೨೧ ಮೀ.
ಎ	ಉತ್ತರ	೧೨೨ ಮೀ.
ಬಿ	ಪಶ್ಚಿಮ	೧೨೧ ಮೀ.
ಸಿ	ದಕ್ಷಿಣ	೧೨೨ ಮೀ.

ಭೂಮಿಯ ವಿಸ್ತೀರ್ಣ ೧೪೭೬೨ ಚದರ ಮೀಟರ್.

ಸೂಚನೆ ಕೆಂಪು ಚುಕ್ಕಿಯಾಗಿದೆ.

ಸಂಖ್ಯೆ ಸೂಚಿಸಿದ ದೂರ ಕಲ್ಲುಗಳು ।.

ಸೂಚಿಸಿದ ಪಾಸ್ ಕ ನಕಾಶೆಯಲ್ಲಿ

ದನಿಗಳನ್ನು ನೀಲಿಯ ಶಾಯಿ ಅಳತೆ ಕಲ್ಲುಗಳು ।.

ಕೊಟ್ಟಿಗೆಯ ಸುತ್ತಲೂ ಮೊಟ್ಟಿಯ ಅಳತೆಗೆ ಮೇಲೆ ಚಿಕ್ಕ ಅಳತೆ ಕಾಂಡ ನಕಾಶೆಯಲ್ಲಿ ತೋರಿಸಿದೆ — ಆದರೆ ಕೊಟ್ಟಿಗೆಯ ದಾರಿಯನ್ನು ಕ್ಲಾಸ ಸಂಖ್ಯೆಯನ್ನು ಕಾಂಡ ಕೆಳಿ ಅಂತಾ ಪಿಲಾಖಲ್ಲಾದಾಖಲ್ಲಾ ಕೊಟ್ಟಿದ್ದಾಳೆ. ಈ ಕೆಳಿ ಸರಿಯೆ ಮಾಂಡಿಸುವಾಗ ೨೫-೩೦ ವರುಷ ನಾಯಿತು. ಆದರಲ್ಲಿ ಇವರ ಕೊಂಡ ನೀಲಿಯ ನಿಲ್ಲ ನಾಶಿದ್ದಾರೆ (೩) ಸಂ ಭರ್ತಾ ಇ ಅಂಶ ಸಾಕ್ಷಿ. ಆದನ್ನು ನಾಯಿಸಿಕ್ಕಾಗಿ ಸಂಖ್ಯೆ ಕೊಟ್ಟಿಗೆ ಲಿಖಿತವಾಗಿ ನಡಿಸಿಕೊಡಬೇಕು ಆಯಿತು. ಹಾಗೆ ಕೊಟ್ಟಿಗೆಯಲ್ಲಿದ್ದ ದನಿಗಳನ್ನು ಸಾಕ್ಷಿಯಾಗಿ ನಡಿಸಿಕೊಡಲಾಗಿದೆ — ಆಯಿತು ಆಯಿತು ಕೊಟ್ಟಿಗೆಯ ಸುತ್ತಲೂ ಸಂಖ್ಯೆಯ ಅಳತೆ ಕಲ್ಲುಗಳು ಇರುವುದಾಗಿ ಸಾಕ್ಷಿ ಹೇಳಿದ್ದಾರೆ. ಆದರೆ ಅಳತೆ ಕಲ್ಲುಗಳು ಸಂದರ್ಭದಲ್ಲಿ ಸಂಖ್ಯೆ ಲಿಖಿತವಾಗಿ ಅದರ ನಕಾಶೆಯಿಂದ ತೆಗೆದುಕೊಳ್ಳಲು ಸಾಕ್ಷಿಗಳು ಸಂಖ್ಯೆ ಕೊಟ್ಟಿಗೆ ಸಾಕ್ಷಿಯಾಗಿ

G. D. S. VI—G/82]

SUBJECT

Diary No. of letter replied to 4.2.2

GENERAL AND REVENUE SECRETARIAT
(Proc)
the 6 *191*

Date of issue.... 29.11.22.....

Signed by.. .....

Section
File No.
Serial No.

No. 1190

To

The Rev. Comr. in Mysore.

Sir,

With reference to your letter No. C 4007 Gl 16-17 & 12-2 recommending sanction to the writing off of the assessment on the uncultivable gomal and Kharab lands of the Inam Ramayasihalli in the Devanh Taluk now in the occupance of Mr R. Raghunatha Rao. I o

over.

directed to request that

~~may kindly be obtained from the~~ Mr. Lee Hardy

~~Dy. Comr. Cuddapah~~ when and how Mr. to ascertain

Raghunatha Rao of the occupancy

of the village from Mr. Kaundinya

and also to obtain and forward an

authenticated copy of the sale-deed

or other document in support of Mr. Raghunatha

~~Rao's title to the~~ title to the village.

I have etc

For Secretary

Min. Deptt.

29-11-49

25/11/49

25/11/49

List of enclosures.

Copied by

Examined by

WD 1744—GPB—3,000—19 3 19

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

No. 40-1/K.C.X 16-17 *Bangalore...* 30th August 1920.....

FROM

K. R. Srinivasien ar, Esqr., M.A.,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Muzrai *Department.*

SIR,

Adverting to correspondence ending with your letter No.1690/Muz.189-17-6 dated 28th November 1919 calling for further report as to how Mr. R. Raghunatha Rao got the occupancy of Inam Sanyasikalli village in the Devanhalli Taluk &c., I have the honour to forward copy of letter No.H.C.572/19-20 dated 11th June 1920 furnishing the information required.

2. An authenticated copy of the sale-deed in support of Mr. Raghunatha Rao's title to the village since received from the Deputy Commissioner with his letter No.H.C.512/19-20 dated 20th August 1920 as well as the vernacular file and Mr. Raghunatha Rao's application dated 20th August 1920 are sent herewith.

I have the honour to be,
S i r,
Your most obedient servant,

Revenue Commissioner.

Letter No.H.C.572/19-20 dated 11th June 1920 from the Deputy Commissioner, Bangalore District to the Revenue Commissioner in Mysore, Bangalore.

With reference to your Memo No.C.4007/G1. dated 2nd December 1919, calling for certain particulars on the writing off of the assessment on the unculturable gomal and Kharab lands of the Inam Sanyasihalli in the Devanahally Taluk, in the occupancy of Mr. R. Raghunatha Rao, I have the honour to state that the Sub Division Officer of Dodballapur Sub Division reports that he held an enquiry in the matter during the Jamabandy and ascertained that the said village endowed to the Sivaganga Matt was under Government management and that the lands were given out, on "Shraya" tenure, but the conditions of the tenure have not been enforced, whereas the lands seemed to have passed from hand to hand by sale or mortgage.

2. The Amildar of Devanhalli Taluk, reports that in reply to his letter, Mr. R. Raghunatha Rao wrote to say that he bought the said estate from Mr. Kounainya on the 12th April 1908 for Rs.1,200/- and that the original sale deed which is said to have been registered in the District Registrar's Office, is not now with him.

3. The entire vernacular records are herewith submitted for reference.

"C O P Y"

For Revenue Commissioner.

T.K.N.

have such large capital in wells and buildings and in making the lands cultivable if he had been given only the lease of the lands.

4. In the same proceedings of Government, there occur the words the assessment due on the village having fallen into arrears, the estate was advertised to be sold by public auction, but as nobody came forward to bid at the sale, the village was resumed by the - Muzral Department.

The use of the terms (1) assessment and (2) the estate was advertised to be sold by public auction, clearly indicate that it was not "rent" and lease that were meant.

5. The terms of the bond executed by Mr. Kanudiuya to the Amildar of the Devanhalli taluk contain the following words:-

"..... being my offer for purchasing the "jodi sanyasihalli" ~~village~~ estate,

again, in Mr. Kanudiuya letter to the Deputy Commissioner of Bangalore dated 24th October 1903,

"with reference to my having purchased the Sanyasihalli estate' these words would imply that Mr. Kanudiuya purchased the estate and not merely secured the lease of it. If it be thought that Mr. Kanudiuya was probably making an unwarranted claim in his favour, the wording of the then Deputy Commissioners docket No. R. 511 dated 4th September 1903 will settle the matter beyond doubt. This docket contains the words" being the value of the Sanyasihalli estate purchased by him (Mr. Kanudiuya).

6. The Notification re, the sale of the sanyasihalli estate dated 25rd February 1903 and 2nd September 1916 are for arrears of revenue and what was proposed to be sold was the undermentioned immovable property (vide Notifications published in the Gazette)

7. It is also significant that in the notifications, no reservations have been made except in the case of minor inams.

These in my humble opinion clearly indicate that I am the Pro-

Proprietor of the estate and as such entitled for the benefit of the recommendation kindly made by the then Deputy Commissioner and equally kindly by the Revenue Commissioner in regard for the removal of assessment on certain portions of the estate entered as "Kharab" and "Gomal".

I beg that this humble representation of mine may be kindly forwarded to Government with your valuable support, along with the enclosed Deed of Conveyance.

I beg to remain,

Sir,

Your most obedient servant,

Magbul Ahmad

1903. It is seen from the ver:
records, that on the Govt. passing
orders no. 3626-8/Mis.7.36-93 d
31-3-05 sanctioning Shraya rates
of assessment in favour of
Mr. Kaundinya, the Amildar
was called upon in Sub. Division
Asst. Comrs no. 1475 d 25.5.05
to obtain a Muteliaika from
Kaundinya in accordance with
the terms of the Govt. order -

2 The original Darkhast of
Mr. Kaundinya as is not in the
file of ver: records nor do the
records disclose what action
was taken by the amildar to
get the muteliaika from Mr. Kaundinya.

3 I am to request that you
will be so good as to obtain from
the Dy Com the Darkhast
presented by Mr Kaundinya
and the muteliaika, if any
taken from him together with the

List of enclosures.

Copied by

Examined by

G.R.S. 271

GENERAL AND REVENUE SECRETARIAT.

(Continuation sheet draft form.)

correspondence connected there with and forward the same to Govt for reference.

24. The ~~two~~ three files of correspondence on the subject are returned for reference and ~~re~~transmission

5. The matter may be treated as immediate

I have etc

Secretary

Mun: Depts

5/4/21

5/4/21

5/4/21

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

No. 4007/Gl 16-17 *Bangalore,* 30th June 1921.
2-7-21

FROM

copy

A. R. SRINIVASIENGAR, Esq., M.A.,
Revenue Commissioner in Mysore.

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Muzrai *Department.*

SIR,

With reference to your letter No.3504/Muz. 191-17-8 dated 14th April 1921 calling for further information re: the occupancy inam Sanyasinalli village, Devanhalli Taluk, I have the honor to forward herewith copy of letter No. R.C. 512/19-20 dated 23th May 1921 together with its enclosures in original received from the Deputy Commissioner, Bangalore District in the matter. The Deputy Commissioner reports that original Darkhast given by Mr. Kaundinya is not forthcoming and that no mutchalika was obtained from him.

I have the honor to be,
Sir,
Your most obedient servant.

Revenue Commissioner.

TR.

R. C. 4.

DIARY No. 16...1

24 22

SECTION Rev

FILE No. 189-17

0209

From

The *Revenue Commissioner in Mysore.*

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,
Uzmai *Department.*

Dated 30th June 1921.

Despatched 2 — 7 — GEN & REV EDIT

Received 2 JUL 1921

General No. C. 4007/20 — 27

Enclosure No. Three files & a copy

SUBJECT.

re: the occupancy of inam lands, Channapatna Taluk.

Letter No. R.C. 512/19-20 dated 28th May 1921, from the Deputy Commissioner, Bangalore District, to the Revenue Commissioner in Mysore.

=====

With reference to your memo No. 4007/C1.16-17 dated 14/15th ultimo calling for the original darkhast presented by Mr. Kaundinya for Sunyakuli village in Devanhalli Taluk and other records connected therewith, I have the honor to state that the Amildar of Devanhalli Taluk reports that the original darkhast given by Mr. Kaundinya is not available in his office. No muchalika was obtained from Mr. Kaundinya as he went away to Coorg and did not return after alienating the village.

The Amildar's report and the vernacular records ending with Doddballapur Sub Division Officer's No.R.C.7?/19-20 dated 4th May 1921 are herewith resubmitted.

=====

" C O P Y "

For Revenue Commissioner.

RTR.

SUBJECT.....

Diary No. of letter replied to

General and Revenue Secretariat

(May)

, *the* 191 .

Date of issue 19-7-22.

Signed by M.T.S.G.Rao

Section

File No.

Serial No

No. 237

To

Dear Sir,

In connection with the question of writing off of the assessment on the uncultivable gomal and kharab lands of the Inam Sammyasiballi in the Devaballi Taluk, in the occupancy of M/s. R. Raghunatha Rao, which is pending disposal with you, I am desired to request that information may kindly be furnished as to the amount

over.

GW 1.12

List of enclosures.

Copied by

Examined by

189-17-11

Bangalore District,

Dated Bangalore, 26th July 192[illegible]

B.Ramaswamaiya, Esq., B.A., B.L.,

Deputy Commissioner,

Bangalore District.

To

T.E.Jayarama Iyer, Esq., B.A., B.L.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Huzrai Department,

Bangalore.

Sir,

With reference to your D.O. No.237/Huz.189-17-10 dated 19th uly 1922, enquiring what amount Mr.Raghunatha Rao has obtained s compensation for the occupation of his lands at Sanyasihalli illage, by the Military people, I have the honor to state that recommendation has been submitted to the Government in the Revenue Department, by this office, that a sum of Rs.4623-2-3 may be paid by he Military Department to Mr.Raghunatha Rao as compensation for -- damages caused by the encampment of Military Regiments in Sanyasihalli luring the camp of Exercise in November and December 1921. Out of his sum the Military authorities have already paid Rs.1913-8-0 in arch last, which has been disbursed to Mr.Raghunatha Rao.

I have the honor to be,

Sir,

Your most obedient servant,

B Ramaswamaiya

Deputy Commissioner,
Bangalore District.

CA

From

To

Dated

Despatched

Received

General No.

No.

Enclosure No

No. 12, Third Cross Road

BASAVANGUDI.

(Bangalore) 93

Dated 27th July 1922.

S FARM,
IYA[illegible] LLE.
NAI[illegible] P. O.

27/7/22

To

T.E. Jayarama Iyer, Esq., B.A., B.L. 189-17-

Secretary to the Government of His Highness the

Maharaja of Mysore, MUZRAI DEPARTMENT,

Bangalore

Sir,

In continuation of my representation of March 1921 and in compliance with your instructions to me yesterday, I submit copies of -- letter No. R. 511 dated 4th September 1903 issued by Mr. Sparkes the then Deputy Commissioner of Bangalore and of the "Patta " granted by the Amildar of Devanahalli to Mr. Kaundinya my predecessor in title. (I shall produce the originals when ordered.)

It is clear from these papers & from the references on the subject that Mr. Kaundinya acquired an unequivocal title to the " Sanyasihalli estate and as I have purchased all his claims my title to the estate is equally unequivocal.

The estate was sold by Government for arrears of Revenue and in the absence of bidders at the sale, was ~~reserved~~ resumed by Government (Vide G.O. No. 3626-8 dated 31st March 1905). This amounted to the extinction of all rights in the property that might have existed before such sale and resumption. It was then applied for on " Darkhast" and purchased for a value that was fixed by the Deputy Commissioner and approved by Government. Mr. Kaundinya thereby acquired an absolute and indisputable right in the property.

If it is now urged that there has been any inadvertance in all

these ' Proceedings and Notifications " I beg to respec
that a bona-fide purchaser of the property from the Go
not be made to suffer especially after so many years o
and the expenditure of so much money and energy in impr
perty.

I request, therefore, that you will be pleased to rec
rights and to order that the same be not called in ques
future period.

I pray also that the removal of assessment as recomme
Revenue Department may be sanctioned.

I beg to remai

Sir,

Your most obedient

SEHALLE.
ANAHALLE. P. O.

10/1/1922

Dated

REV. DEPARTMENT
117
22-23

To

J.E.Jayarama Iyer Esqr., B.A. B.LL

Secretary Muzri Department

Bangalore.

Sir,

In para 4 of G.P. No. 147?-G/Muzri 189-17-10 dated 17th October 1922 the following observation is made by government when passing orders in regard to the assessment on my [illegible]

"Further the Government acting on behalf of the Muzrai and Mr. Kaundinya having entered into specific [illegible]

I respectfully beg that a copy of the above said contract be ordered to be given to me for my information and guidance.

I shall, if ordered, be glad to deposit the copying charges etc.

I beg to remain,

sir,

Your most obedient servant,

C Raghunatha Rao

Proceedings of the Government of His Highness
the Maharaja of Mysore.

Read --

Government Proceedings No.1077/Muz.F.36-93 dated 1st June 1895 sanctioning the grant of the lands of Sanyasihalli village in the Devanhalli Taluk to Mr. C.E. Murray Ansley for cultivation on Shraya tenure.

2. Government Proceedings No.1356/Muz.F. 36-93 dated 21st November 1903 acceptting the darkhast of Mr. R.N. Kaundinya for the estate, on condition of his paying the whole arrears of assessment thereon viz., Rs.2,000-9-2.

3. Government Order No.3626-8/Muz.36-93 dated 31st March 1905 sanctioning on the representation of Mr.Kaundinya, the payment of assessment on the lands at certain shraya rates, pending further report from the Survey Superintendent in the matter.

4. Government Order No.2478-9 dated 24th November 1905 confirming the shraya rates on the lands in question tentatively fixed in the Government order dated 31st March 1905 read above.

5. Government Order No.1473-6/Muz.189-17-13 dated 12th October 1922 declining to sanction the recommendation of the Revenue Commissioner to write off a portion of the assessment on certain uncultivable portions of the lands in the possession and enjoyment of Mr.R.Raghunatha Rao.

6. Applications dated 16th February 1923 and 18th April 1924 respectively, from Mr.Raghunatha Rao praying for a review of the Government Order dated 12th October 1922 read above in the matter of the remission of assessment on the uncultivable lands included in the estate, and claiming full rights of ownership over the village in question, and offering to relinquish the lands in respect of which he asks for remission of assessment.

Correspondence of the

16-17 dated 16th January 1862 from

Blomer submitted [illegible] and [illegible]

[illegible] [illegible] [illegible] [illegible] [illegible]

[illegible] [illegible] [illegible]

Muz. 189-17-13 dated 12th October 1922 read above, declined the request for reasons given in the order. Mr. Raghunatha Rao has applied for a reconsideration of this order as also for a declaration of his title to the land. With regard to his prayer for assessment of the above noted S.Nos. being written off on the ground that they are uncultivable, as there has been no change in the condition of the lands since they were originally assessed at coffee rates, the Government do not see any grounds to write off the assessment thereon and treat them as kharab as requested by the petitioner. There is however, no objection to the petitioner's resigning these S.Nos. if he does not wish to retain them in his holding and as he has in his application dated 18th April 1924 offered to resign the in case his prayer for the assessment on the lands being written off and for their being treated as kharab cannot be granted, Government are pleased to direct that his resignation of the two S.Nos.5 and 2 referred to above be accepted and to direct that these lands be removed from his khate with effect from the current year. The lands will be shown as assessed banjar in the accounts of the village and will be available for being granted under the darkhast rules to any body who may apply for them; and the petitioner Mr. Raghunatha Rao will be given to understand that he will have no right to the use of these lands in future for any purpose.

3. As regards the prayer of Mr. Raghunatha Rao for the remission of the arrears of assessment on these two S.Nos. for the previous years, the Revenue Commissioner is requested to enquire and report early whether the petitioner made any use of the lands

the lands and obtained any benefit therefrom during the years for which he claims remission of assessment. Pending the submission of the report and the order of Government thereon, the recovery of the arrears due in respect of these two S.Nos. may be held in obeyance.

4. Next, as regards Mr. Raghunatha Rao's representation regarding his title to the lands, Government observe that his claim for full rights of ownership over the lands on the ground that what was granted to Mr. Kaundinya and what passed from the latter to himself, was the full estate and not occupancy right only cannot be upheld. The village being the property of the Sivaganga Mutt and the Government being only in the position of a manager and trustee thereof - all that was granted by them to Mr. Kaundinya was the right of tenancy. In the circumstances, Mr. Raghunatha Rao who purchased the lands from Mr. Kaundinya can at best claiming the rights of a permanent tenant. Government are therefore pleased to order that the petitioner be treated as a permanent tenant in respect of the lands which are continued in his holding, with full powers of alienation etc., such as those possessed by a Kadim tenant.

(Sd.) K.V. Krishnamma

for Secretary to Government,
Revenue Department.

9-JUN1924

A No 9306

To

The Revenue Commissioner in Mysore, with records
The Deputy Commissioner, Bangalore District.

Copy to the Mysore Branch returning the Mysore file 189-17

R. 6312-3 encs.

for Revenue Secretary